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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

01

DATE MAILED:

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,887	12/22/1999	Rishi Mohindra	PHA-23-916	5482

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EXAMINER	
NGUYEN, THUAN T	
ART UNIT	**PAPER NUMBER**
2685	11

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/469,887	MOHINDRA, RISHI	
	Examiner	Art Unit	
	THUAN T. NGUYEN	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7 and 17-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 17-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restriction

1. Applicants elects the claims of group I including claims 1-7 and 17-21; and the claims of group II are withdrawn, without prejudice (paper no. 8).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> *A person shall be entitled to a patent unless -*
> *(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

3. Claims 1-7 and 17-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Petrick (US Patent 5,712,870/ or "Petrick").

Regarding claim 1, this limitation is met as Petrick discloses a transceiver (as illustrated in Fig. 2) having a power amplifier (Fig. 2/item 78) and a pair of up-converter mixers (Fig. 2/mixers within up-converter 30) for an improved power ramping method comprising switching on the power amplifier after an end of a prior packet reception period, and ramping modulation signals supplied to the up-converter mixers upon initiation of a new packet transmission, i.e., power ramping technique is controlled by preamble field within a transmission/receiving packet message (as shown in Fig. 1), and the baseband processor 80 controls the power consumption of the transceiver (Fig. 2) including better signal timing and provide necessary functions for modulating and demodulating of receiving/transmitting signals (col. 6/lines 50-60); moreover, with a symbol and tracking timing circuit 90 (col. 7/lines 29-41), the timing detection of received packet is realized and the power ramping is applied to modulation signals of a new packet transmission accordingly before submitting the signals to the up-converter mixers using the CRCs for checking the value of packet length received (see col. 9/line 45 to col. 10/line 4).

As for claim 2, this limitation is met as Petrick discloses wherein the modulation signals are in-phase (I) and quadrature-phase (Q) signals (Fig. 2, and col. 6/lines 18-49).

As for claim 3, this limitation is met as Petrick further includes a differential phase shifted keyed (DPSK) for providing monotonically or discretely a set of digital words representing the I and Q signals (col. 6/lines 50-62).

As for claim 4, this limitation is met as Petrick discloses that the received signals is mixed with a locally synthesized periodic signal (by a mixer, understood to be an analog signal) in the quadrature demodulation (col. 6/lines 18-34) and the baseband processor can handle to convert analog signals into digital signals (col. 5/lines 24-30).

As for claim 5, this limitation is met as Petrick suggests that the tracking of incoming bits (of a packet) is performed until the last bit of the packet is received (col. 9/lines 45-67) as the preamble field within a packet is used for determining the timing of the switching of the receiver from one signaling format to another (col. 9/lines 10-23).

As for claim 6, this limitation is met as Petrick discloses that the preamble of the header is detected for interface detection and for power ramping (col. 4/lines 40-58 & col. 9/lines 10-67).

As for claim 7, this limitation is also met as Petrick notes that there is a given time period for the demodulation circuitry gets a "head start" in reacquiring and demodulating the incoming data within a brief period before preparing the transmission step for a new transmission packet (col. 8/lines 22-61).

As for claims 17-21, these claims for an improved power ramping method with same limitations within a transmitter or within a spread spectrum transceiver (col. 6/line 63 to col. 7/line 11 for spread spectrum transceiver addressed) are rejected for the reasons given in the scope of claims 1-7 as disclosed above.

Response to Arguments

4. Applicant's arguments filed on 01/12/04 have been fully considered but they are not persuasive.

Applicants basically argues that "the power ramping" of this present invention is to solve the problem of frequency glitches resulting from ramping of a power amplifier when starting a packet transmission, and the ramping method is for ramping the modulation signals instead of the power amplifier gain. Eventually, Petrick discloses the same technique because in preventing of the frequency glitches resulting from ramping of a power amplifier, signal acquisition and synchronization is performed to ensure a smooth signal transmission can be occurred (col. 3/lines 23-52) and power ramping is done (col. 4/lines 40-58). Petrick further notes that the technique is performed for I and Q components or in other words, the in-phase and the quadrature components being modulated/demodulated necessary for spreading and de-spreading functions before full duplex data transmission (col. 6/lines 18-62), and the data being transmitted is understood to handle by a demodulation circuitry in a loop or refreshing "head start" in reacquisition and demodulating the incoming data within the brief period for bursty data needed for transmission as mentioned in the cited paragraphs (col. 8/lines 18-60).

Therefore, the Examiner disagrees with the Applicants' arguments and stands with the disclosure and teaching of Petrick for this reason for the claiming language of claims 1-7, and 17-21 as disclosed and discussed in this Final Office Action.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:
(703) 872-9306, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II,

2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

TONY T. NGUYEN
PATENT EXAMINER

Tony T. Nguyen
Art Unit 2685
April 29, 2004